

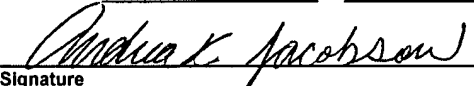


1FW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: RICHARD M. CHESBROUGH ET AL.
For: APPARATUS AND METHOD FOR IMPLANTING A PRELOADED LOCALIZATION WIRE
Serial No.: 10/707,043 Conf. No. 4168
Filed: November 17, 2003 Group Art Unit: 3763
Docket No.: 71202-0045

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))	
I hereby certify that this correspondence is, on the date shown below, being:	
<input checked="" type="checkbox"/> deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450.	<input type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office. to Examiner _____ at _____
Date: September 17, 2004	 Signature Andrea R. Jacobson (type or print name of person certifying)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The enclosed references listed on the attached Form PTO-1449 are submitted pursuant to 37 C.F.R. §§ 1.97-1.99 in accordance with Applicants' duty of disclosure as set forth at 37 C.F.R. § 1.56.

The referenced listed on the attached Form PTO/SB/08A were cited in a communication from a foreign patent office in a counterpart application. This communication was not received by any individual designated in § 1.56(c) more than 30 days prior to the filing of this Information Disclosure Statement.

The relevance of the non-English language references is described in the attached English-language Abstract provided by the European Patent Office.

The submission of the accompanying information is not intended to imply that more pertinent prior disclosures may not exist, nor is it an admission by Applicants that any one or

more of the submitted documents form a part of the scope and content of the prior art.

If there are any questions regarding the foregoing, please do not hesitate to contact the undersigned attorney of record.

Respectfully submitted,

RICHARD M. CHESBROUGH ET AL.

Dated: _____

9/17/04



Mark A. Davis, Reg. No. 37,118

MCGARRY BAIR PC

171 Monroe Avenue, NW, Suite 600

Grand Rapids, Michigan 49503

Telephone: (616) 742-3500

Substitute for form 1449/PTO

PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1
-------	---

of	1
----	---

Application Number	10/707,043
Filing Date	November 17, 2003
First Named Inventor	Richard M. Chesbrough
Art Unit	3763
Examiner Name	
Attorney Docket Number	71202-0045

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY			
		FR 2 776 165	09-24-1999	Ordicam		
		EP 0 415 504	03-06-1991	Nedap NV		
		GB 786 850	11-27-1957	Foundation Laboratories, Inc.		
		EP 0 937 443	08-25-1999	Acritex GmbH		
		EP 0 393 972	10-24-1990	Urief, Robert Graham		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.